

Republicans Continue to Sabotage the Affordable Care Act

After Congressional Republicans failed to pass TrumpCare and repeal the Affordable Care Act (ACA), President Trump made clear his intentions to undermine the law. Since taking office, he has taken a number of actions to sabotage the law and make it harder for Americans to access affordable, quality health care. Here's a look at each of the ways the Trump Administration and Congressional Republicans are sabotaging the ACA:

LATEST EXECUTIVE ORDER

Today, the President signed into law an executive order that attempts to put in place policies included in TrumpCare that have already been rejected by the American people. The executive order would:

- Undermine consumer protections and allow insurance companies to sell plans without essential health benefits, like hospitalization, meaning people may not be able to get the care they need;
- Significantly destabilize health care markets, leaving consumers with few – if any – options for affordable health coverage;
- Allow healthier consumers to obtain cheaper plans with few benefits that won't cover all the care they may need, while leaving older, sicker consumers with skyrocketing costs;
- Return us to the days when insurance companies could discriminate against Americans with pre-existing conditions.

ACA OUTREACH AND ENROLLMENT

As open enrollment begins on November 1, the Trump Administration has taken every effort to make it harder – not easier – for Americans to sign up for coverage. The Administration:

- **Cut the open enrollment period in half**, giving Americans less time to apply for affordable health care. The open enrollment period for 2018 plans will last from November 1 to December 15, compared to the open enrollment period for 2017, which was six weeks longer.
- **Slashed funding for outreach efforts that help educate Americans of the open enrollment period by 90%**. This funding helps grassroots organizations participate in health fairs and walk Americans through the health care sign-up process.
- **Will shut down the Healthcare.gov website on every Sunday of open enrollment**, limiting weekend opportunities for Americans to sign up for health care.
 - Former HHS Chief Information Officer Frank Baitman explained: “There are no insurmountable tech challenges that require <http://Healthcare.gov> to be offline. Only a lack of will & respect for [the American] people.” [Twitter, [9/22/17](#)]
- **Stopped all outreach to the Hispanic community, the most underserved, underinsured population that has seen the largest gains in coverage since the ACA was signed into law.**
 - According to reporting from [Talking Points Memo](#), major organizations that assist with Latino outreach such as the Latino Affordable Care Act Coalition, LULAC, National Latina Institute for Reproductive Health, and Unidos US have heard “radio silence” from the Trump Administration about outreach efforts.
- **Pulled out of all coordination with state and local officials on events to help Americans enroll.**
 - Vox [highlights](#) one example in Mississippi: “For the past three years, the US Health and Human Services Department has partnered with a health advocacy group in Mississippi on an education tour before Obamacare enrollment started. They would meet around the states with groups that sign people up for coverage — state officials, health centers, insurance brokers, and the like — to prepare for open enrollment. Up until Monday, Roy Mitchell, executive director of the

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Mississippi Health Advocacy Program, thought these events were going forward... But then two days ago, he received a short message from an agency official, which Mitchell shared with Vox: **HHS wouldn't be doing any Obamacare marketplace events in the South this year. No further explanation was provided."**

COST SHARING REDUCTION PAYMENTS

In addition, the Trump Administration continues to threaten to cut off payments for Cost-Sharing Reductions, which reduce out-of-pocket costs for low-income working families and ensure the continued stability of insurance markets. Refusing to make these payments would cause instability for insurers and rate increases on millions of other Americans. A [Congressional Budget Office](#) analysis says ending these payments would likely increase premiums by 20% next year and by 25% in 2020. In addition, if the Trump Administration does not make CSR payments, the individual market could collapse.

In addition to President Trump's threats to stop these payments, Congressional Republicans filed a politically-motivated lawsuit in 2014 seeking to end cost-sharing reduction payments. Republicans continued to stoke fear and market instability by delaying the legal proceedings and denying certainty for insurers over whether the payments will be made as they set premiums for 2018. Health insurers in several states announced they are exiting the Marketplaces in 2018 as a result of the uncertainty Republicans have created.

WEAKENING THE LAW

In addition to today's executive order, President Trump [signed another executive order](#) when he took office that instructed agencies to weaken the Affordable Care Act by not enforcing certain provisions. By signaling to insurers that the law, as written, would no longer be enforced, insurers had to factor that into their decisions about 2018 rates and whether they would participate in the marketplaces at all in this uncertain climate. The continued instability and uncertainty as to whether the Affordable Care Act will be enforced means increased premiums and fewer options for consumers in 2018.

Since the Affordable Care Act's enactment, Congressional Republicans have taken steps to undermine risk mitigation programs that help stabilize the insurance markets. This includes inserting a provision into a 2014 government funding bill that defunded risk corridors, which were established to ensure stability in the initial years of the ACA's implementation as millions of previously uninsured Americans constituted a new and inherently risky market. As a result, insurers received a fraction of what was owed under the ACA, amounting to billions in losses for insurers nationwide, which then led to the industry cutting back on benefits and increasing premiums.

OTHER LEGAL CHALLENGES & ATTEMPTS TO SABOTAGE

[As previously noted](#), state Republican leaders refused to implement the ACA and pursued legal challenges in the courts, including a lawsuit challenging the constitutionality of the law filed in 2011. The following year, the Supreme Court upheld the constitutionality of the law in *NFIB v. Sebelius*, but it also ruled that the federal government could not compel states to expand coverage through their Medicaid programs. With 19 Republican Governors refusing to expand Medicaid to all those eligible under federal law, consumers face higher premiums in those states. The Urban Institute predicts if all states expanded Medicaid, 5 million uninsured Americans would gain coverage. According to a 2016 report by the Office of the Assistant Secretary for Planning and Evaluation, premiums are about 7% higher in states that did not expand Medicaid.

Republicans control the White House and both chambers of Congress. They are in charge of the health care system and will be held accountable for any increases in Americans' health care costs or lack of stability in the health care market.

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